

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:19-cv-00039-TNM**

EARTH ISLAND INSTITUTE v. UNITED STATES
DEPARTMENT OF THE INTERIOR
Assigned to: Judge Trevor N. McFadden
Cause: 05:552 Freedom of Information Act

Date Filed: 01/08/2019
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**EARTH ISLAND INSTITUTE**

represented by **Hope Madeline Babcock**
GEORGETOWN UNIVERSITY LAW
CENTER
600 New Jersey Avenue, NW
Suite 531
Washington, DC 20001-2022
(202) 662-9481
Fax: (202) 662-9634
Email: babcock@law.georgetown.edu
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant**UNITED STATES DEPARTMENT
OF THE INTERIOR**

represented by **Denise M. Clark**
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-6605
Fax: (202) 252-2599
Email: denise.clark@usdoj.gov
TERMINATED: 11/27/2019
LEAD ATTORNEY

Michelle D. Jackson
U.S. ATTORNEY'S OFFICE
Homicide Section
555 Fourth Street, NW
Washington, DC 20530
202-252-7230
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
01/08/2019	<u>1</u>	COMPLAINT against UNITED STATES DEPARTMENT OF THE INTERIOR (Filing fee \$ 400 receipt number 0090-5875642) filed by Earth Island Institute. (Attachments: # <u>1</u> Exhibit FOIA Request)(Babcock, Hope) (Entered: 01/08/2019)
01/08/2019	<u>2</u>	CIVIL COVER SHEET by Earth Island Institute re <u>1</u> Complaint filed by Earth Island Institute. Related document: <u>1</u> Complaint filed by Earth Island Institute.(Babcock, Hope) (Main Document 2 replaced on 1/9/2019) (zef,). (Entered: 01/08/2019)
01/08/2019	<u>3</u>	REQUEST FOR SUMMONS TO ISSUE re <u>1</u> Complaint filed by Earth Island Institute. Related document: <u>1</u> Complaint filed by Earth Island Institute. (Attachments: # <u>1</u> Summons U.S. Attorney for the District of Columbia, # <u>2</u> Summons U.S. Attorney General)(Babcock, Hope) (Entered: 01/08/2019)

01/08/2019	<u>4</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by Earth Island Institute (Babcock, Hope) (Entered: 01/08/2019)
01/09/2019		Case Assigned to Judge Trevor N. McFadden. (zef,) (Entered: 01/09/2019)
01/09/2019	<u>5</u>	SUMMONS (3) Issued Electronically as to UNITED STATES DEPARTMENT OF THE INTERIOR, U.S. Attorney and U.S. Attorney General (zef,) (Entered: 01/09/2019)
01/17/2019	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 1/10/2019. (Answer due for ALL FEDERAL DEFENDANTS by 2/9/2019.), RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 10/15/2019., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES DEPARTMENT OF THE INTERIOR served on 1/15/2019 (Attachments: # <u>1</u> Exhibit US Attorney Proof of Service, # <u>2</u> Exhibit US Attorney General Proof of Service, # <u>3</u> Exhibit U.S. Department of the Interior Proof of Service)(Babcock, Hope) (Entered: 01/17/2019)
02/08/2019	<u>7</u>	STANDING ORDER establishing procedures for cases before Judge Trevor N. McFadden. The parties are directed to read and strictly comply with the attached Order. Signed by Judge Trevor N. McFadden on 2/8/2019. (lctnm3) (Entered: 02/08/2019)
02/11/2019	<u>8</u>	ANSWER to Complaint by UNITED STATES DEPARTMENT OF THE INTERIOR.(Clark, Denise) (Entered: 02/11/2019)
02/12/2019		MINUTE ORDER. Before the Court are a complaint and an answer in this FOIA case. It is hereby ORDERED that the parties shall meet and confer and file a Joint Status Report proposing a schedule for proceeding in this matter. The schedule should address, among other things, the status of the Plaintiff's FOIA request, the anticipated number of documents responsive to the request, the anticipated date(s) for release of the documents requested by the Plaintiff, whether a motion for an Open America stay is likely in this case, whether a Vaughn index will be required in this case, and a briefing schedule for dispositive motions, if required. The parties shall file the Report on or before March 11, 2019. Signed by Judge Trevor N. McFadden on 2/12/2019. (lctnm3) (Entered: 02/12/2019)
02/12/2019		Set/Reset Deadlines: Joint Status Report due by 3/11/2019. (hmc) (Entered: 02/12/2019)
03/11/2019	<u>9</u>	Joint STATUS REPORT by EARTH ISLAND INSTITUTE. (Babcock, Hope) (Entered: 03/11/2019)
03/13/2019		MINUTE ORDER: Upon consideration of the parties' <u>9</u> Joint Status Report, it is hereby ORDERED that a further update shall be filed on or before April 12, 2019. This Report shall propose a schedule for further proceedings as necessary. Signed by Judge Trevor N. McFadden on 3/13/2019. (lctnm3) (Entered: 03/13/2019)
03/13/2019		Set/Reset Deadlines: Joint Status Report due by 4/12/2019. (hmc) (Entered: 03/13/2019)
04/12/2019	<u>10</u>	Joint STATUS REPORT by EARTH ISLAND INSTITUTE. (Babcock, Hope) (Entered: 04/12/2019)
04/12/2019	11	MOTION for Leave to File by EARTH ISLAND INSTITUTE. (See Docket Entry <u>10</u> to view document) (tth) (Entered: 04/15/2019)
04/13/2019		MINUTE ORDER: Upon consideration of the parties' <u>10</u> Joint Status Report, it is hereby ORDERED that a Supplemental Joint Status Report shall be filed on April 16, 2019. This report shall identify the agreed upon deadlines relating to the Defendant's supplemental records search. The parties shall also file a further Status Report on or before May 17, 2019. This report shall update the Court on the status of the supplemental search and propose a schedule for further proceedings. Signed by Judge Trevor N. McFadden on 4/13/2019. (lctnm3) (Entered: 04/13/2019)

04/15/2019		Set/Reset Deadlines: Supplemental Joint Status Report due by 4/16/2019. A further Joint Status Report is due by 5/17/2019. (hmc) (Entered: 04/15/2019)
04/16/2019	<u>12</u>	Joint STATUS REPORT by EARTH ISLAND INSTITUTE. (Babcock, Hope) (Entered: 04/16/2019)
05/15/2019	<u>13</u>	Joint STATUS REPORT by EARTH ISLAND INSTITUTE. (Attachments: # <u>1</u> Text of Proposed Order)(Babcock, Hope) (Entered: 05/15/2019)
05/16/2019		MINUTE ORDER: Upon consideration of the parties' <u>13</u> Third Joint Status Report and agreed upon schedule, it is hereby ORDERED that: (1) the Defendant shall make an initial production of responsive records from the supplemental search no later than June 10, 2019; (2) the Defendant shall make rolling monthly productions of responsive records on or before the 30th of every month thereafter until production is complete; (3) the parties shall file a further Joint Status Report updating the Court on the status of the supplemental search and records production on or before June 14, 2019; and (4) the parties shall file a monthly Joint Status Report on or before the 15th of each month thereafter until production is complete. Signed by Judge Trevor N. McFadden on 5/16/2019. (lctnm3) (Entered: 05/16/2019)
05/16/2019		Set/Reset Deadlines: Defendant's initial production of responsive records due by 6/10/2019. Joint Status Report due by 6/14/2019. (hmc) (Entered: 05/16/2019)
06/13/2019	<u>14</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF THE INTERIOR. (Clark, Denise) (Entered: 06/13/2019)
07/15/2019	<u>15</u>	Joint STATUS REPORT by EARTH ISLAND INSTITUTE. (Babcock, Hope) (Entered: 07/15/2019)
08/15/2019	<u>16</u>	Joint STATUS REPORT of <i>Earth Island Institute and Department of Interior</i> by EARTH ISLAND INSTITUTE. (Babcock, Hope) (Entered: 08/15/2019)
09/11/2019	<u>17</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF THE INTERIOR. (Clark, Denise) (Entered: 09/11/2019)
10/15/2019	<u>18</u>	Joint STATUS REPORT by EARTH ISLAND INSTITUTE. (Babcock, Hope) (Entered: 10/15/2019)
10/15/2019		MINUTE ORDER. Upon consideration of the parties' <u>18</u> Joint Status Report, it is hereby ORDERED that monthly productions shall continue at the current rate; and further ORDERED that the parties shall submit another Joint Status Report on or before December 15, 2019 and every sixty days thereafter until production is complete. Signed by Judge Trevor N. McFadden on 10/15/2019. (lctnm3) (Entered: 10/15/2019)
10/16/2019		Set/Reset Deadlines: Joint Status Report due by 12/15/2019, and every sixty days thereafter. (hmc) (Entered: 10/16/2019)
11/27/2019	<u>19</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Michelle D. Jackson on behalf of All Defendants Substituting for attorney Denise M. Clark (Jackson, Michelle) (Entered: 11/27/2019)